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Attorneys for Plaintiff
United States of America

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

GIOVANNI ELEAZAR PACO, and
CARLOS DANIEL GASTELUM
BUSTAMANTE,

Defendants.

CASE NO. 2:23-CR-214-WBS

STIPULATION REGARDING EXCLUDABLE
TIME PERIODS UNDER SPEEDY TRIAL ACT;
FINDINGS AND ORDER

DATE: September 30, 2024
TIME: 9:00 a.m.
COURT: Hon. William B. Shubb

STIPULATION

1. This matter was set for status conference before the Honorable William B. Shubb on September 30, 2024. Time has been excluded through and including September 30, 2024, as to all of the above-captioned defendants.

2. By this stipulation, the parties request to continue the status conference to November 4, 2024, at 9:00 a.m., and to exclude time between September 30, 2024, and November 4, 2024, under Local Code T4.

3. The parties agree and stipulate, and request that the Court find the following:

a) The government has represented that the discovery associated with this case includes investigative reports and related documents in electronic form including over 4,698 pages of documents, numerous photographs, lab reports, criminal history reports, multiple video

1 and audio recordings, and other material. All of this discovery has been either produced directly
2 to counsel and/or made available for inspection.

3 b) Counsel for defendants desire additional time to consult with their respective
4 clients, review the charges, conduct investigation and research related to the charges, review the
5 discovery, discuss potential resolutions with their respective clients, prepare pretrial motions, and
6 otherwise prepare for trial. Counsel for defendants believe that failure to grant the above-
7 requested continuance would deny them the reasonable time necessary for effective preparation,
8 taking into account the exercise of due diligence.

9 c) Counsel for defendants believe that failure to grant the above-requested
10 continuance would deny them the reasonable time necessary for effective preparation, taking into
11 account the exercise of due diligence.

12 d) The government does not object to the continuance.

13 e) Based on the above-stated findings, the ends of justice served by continuing the
14 case as requested outweigh the interest of the public and the defendant in a trial within the
15 original date prescribed by the Speedy Trial Act.

16 f) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,
17 et seq., within which trial must commence, the time period of September 30, 2024 to November
18 4, 2024, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local
19 Code T4] because it results from a continuance granted by the Court at defendant's request on
20 the basis of the Court's finding that the ends of justice served by taking such action outweigh the
21 best interest of the public and the defendant in a speedy trial.

22 4. Nothing in this stipulation and order shall preclude a finding that other provisions of the
23 Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial
24 must commence.

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1 IT IS SO STIPULATED.

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3 Dated: September 25, 2024

Respectfully Submitted,

PHILLIP A. TALBERT
United States Attorney

5 By: /s/ DAVID W. SPENCER
6 DAVID W. SPENCER
Assistant United States Attorney

7
8 Dated: September 25, 2024

/s/ MICHAEL E. HANSEN
MICHAEL E. HANSEN
Counsel for Defendant
Jiovanni Eleazar Paco


10
11 Dated: September 25, 2024

/s/ NOA OREN
NOA OREN
Assistant Federal Defender
Counsel for Defendant
Carlos Daniel Gastelum Bustamante

14
15 **ORDER**

16 IT IS SO FOUND AND ORDERED.

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18 Dated: September 26, 2024


WILLIAM B. SHUBB
UNITED STATES DISTRICT JUDGE